

**IN THE UNITED STATES DISTRICT COURT  
FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

<b>UNITED STATES OF AMERICA</b>	:	<b>DATE FILED</b> _____
	:	
	:	
	:	
<b>v.</b>	:	<b>CRIMINAL NO. 03-</b> _____
	:	
<b>WILLIAM EICHLER</b>	:	<b>VIOLATIONS:</b>
<b>WILFREDO MARTINEZ</b>	:	<b>21 U.S.C. § 846 (Conspiracy to distribute cocaine -1 count)</b>
	:	<b>21 U.S.C. 841(a)(1) (Distribution of cocaine - 5 counts)</b>
	:	<b>21 U.S.C. 841(a)(1) Possession with intent to distribute cocaine - 2 counts)</b>
	:	<b>Notice of Prior Convictions</b>
		<b>Notice of Forfeiture</b>

**INDICTMENT**

**COUNT ONE**

**THE GRAND JURY CHARGES THAT:**

From in or about March 2002 through in or about May 2002, at Philadelphia and Chester Counties, in the Eastern District of Pennsylvania, and elsewhere, defendants

**WILLIAM EICHLER  
and  
WILFREDO MARTINEZ**

conspired and agreed with each other and with other persons known and unknown to the grand jury, to knowingly and intentionally distribute more than 500 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance, in violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(B).

### **MANNER AND MEANS OF THE CONSPIRACY**

1. It was part of the conspiracy that defendants WILLIAM EICHLER and WILFREDO MARTINEZ controlled and managed a cocaine distribution organization that arranged for the distribution of more than 500 grams of cocaine in Philadelphia and Chester Counties and elsewhere in the Eastern District of Pennsylvania.

It was further part of the conspiracy that:

2. Defendants WILLIAM EICHLER and WILFREDO MARTINEZ distributed quantities of cocaine to a person known to the grand jury in Pottstown, Chester County, Philadelphia County and elsewhere in the Eastern District of Pennsylvania.

3. Defendants WILLIAM EICHLER and WILFREDO MARTINEZ collected money in payment for cocaine supplied to a person known to the grand jury at various locations in Pottstown, Chester County, Philadelphia County and elsewhere in the Eastern District of Pennsylvania.

### **OVERT ACTS**

In furtherance of the conspiracy and to accomplish its object, the following overt acts, among others, were committed in the Eastern District of Pennsylvania and elsewhere:

1. On or about March 25, 2002, in Pottstown, Pennsylvania, defendant WILLIAM EICHLER distributed approximately 55.7 grams of cocaine which he had obtained from defendant WILFREDO MARTINEZ to a person known to the grand jury in exchange for \$2,600.

2. On or about April 4, 2002, in Pottstown, Pennsylvania, defendant WILLIAM EICHLER distributed approximately 55.8 grams of cocaine which he had obtained from defendant MARTINEZ to a person known to the grand jury in exchange for \$2,600.

3. On or about April 19, 2002, in Pottstown, Pennsylvania, defendant WILLIAM

EICHLER distributed approximately 111 grams of cocaine to a person known to the grand jury in exchange for \$5,200.

4. On or about May 9, 2002, in Pottstown, Pennsylvania, defendant WILLIAM EICHLER distributed approximately 224.1 grams of cocaine to a person known to the grand jury in exchange for \$10,400.

5. On or about May 31, 2002, in Pottstown, Pennsylvania, defendant WILLIAM EICHLER distributed approximately 359.0 grams of cocaine (which MARTINEZ fronted to EICHLER) to a person known to the grand jury.

6. On or about May 31, 2002, in Pottstown, Pennsylvania, defendant WILLIAM EICHLER possessed with the intent to distribute 17.5 grams of cocaine.

7. On or about June 7, 2002, at 1744/1746 North 6<sup>th</sup> Street, Philadelphia, Pennsylvania, defendant WILFREDO MARTINEZ possessed with the intent to distribute 56.1 grams of cocaine.

All in violation of Title 21, United States Code, Section 846.

**COUNT TWO**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about March 25, 2002, at Chester County, in the Eastern District of  
Pennsylvania, defendant

**WILLIAM EICHLER**

knowingly and intentionally distributed approximately 55.7 grams of a mixture or substance  
containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT THREE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about April 4, 2002, at Chester County, in the Eastern District of  
Pennsylvania, defendant

**WILLIAM EICHLER**

knowingly and intentionally distributed approximately 55.8 grams of a mixture or substance  
containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT FOUR**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about April 19, 2002, at Chester County, in the Eastern District of  
Pennsylvania, defendant

**WILLIAM EICHLER**

knowingly and intentionally distributed approximately 111 grams of a mixture or substance  
containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT FIVE**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 9, 2002, at Chester County, in the Eastern District of  
Pennsylvania, defendants

**WILLIAM EICHLER**

knowingly and intentionally distributed approximately 224.1 grams of a mixture or substance  
containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT SIX**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 31, 2002, at Chester County, in the Eastern District of  
Pennsylvania, defendant

**WILLIAM EICHLER  
and  
WILFREDO MARTINEZ**

knowingly and intentionally distributed and aided and abetted the distribution of approximately  
359.0 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II  
controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C),  
and Title 18, United States Code, Section 2.



**COUNT SEVEN**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about May 31, 2002, at Chester County, in the Eastern District of  
Pennsylvania, defendant

**WILLIAM EICHLER**

knowingly and intentionally possessed with intent to distribute approximately 17.5 grams of a  
mixture or substance containing a detectable amount of cocaine, a Schedule II controlled  
substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**COUNT EIGHT**

**THE GRAND JURY FURTHER CHARGES THAT:**

On or about June 7, 2002, at Philadelphia County, in the Eastern District of Pennsylvania, defendant

**WILFREDO MARTINEZ**

knowingly and intentionally possessed with intent to distribute approximately 56.1 grams of a mixture or substance containing a detectable amount of cocaine, a Schedule II controlled substance.

In violation of Title 21, United States Code, Sections 841(a)(1) and 841(b)(1)(C).

**NOTICE OF PRIOR CONVICTIONS**

**THE GRAND JURY FURTHER CHARGES THAT:**

Defendant William Eichler committed the offenses charged in Counts One through Seven of this Indictment after having been convicted in a court of the following felony drug offenses:

1. Manufacture/Delivery/Possession with Intent to Deliver a Controlled Substance, a felony in the Commonwealth of Pennsylvania - Docket # 2159-80.
2. Manufacture/Delivery/Possession with Intent to Deliver a Controlled Substance, a felony in the State of New York - Docket # 86-W058.

## **NOTICE OF FORFEITURE**

A. As a result of violations of Title 21, United States Code, Sections 841(a)(1), 841(b)(1)(B) and 846 set forth in Count One through Eight of this Indictment, the defendants,

WILLIAM EICHLER  
and  
WILFREDO MARTINEZ

shall forfeit to the United States:

1. Any property constituting, or derived from, any proceeds obtained directly or indirectly as a result of the violations of Title 21, United States Code as charged in this Indictment, including but not limited to:

(a) \$20,800 in United States currency, that representing the approximate value of the controlled substances involved in this indictment;

(b) Currency in the amount of \$2,000 taken from 1000 South Keim Street, Pottstown, Chester County, PA

2. Any property used, or intended to be used, in any manner or part, to commit, or to facilitate the commission of the violations of Title 21, United States Code as charged in this Indictment.

B. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendants:

(1) cannot be located upon the exercise of due diligence;

(2) has been transferred or sold to, or deposited with, a third person;

(3) has been placed beyond the jurisdiction of the Court;

(4) has been substantially diminished in value; or

(5) has been commingled with other property which cannot be subdivided without

difficulty;

it is the intent of the United States, pursuant to Title 21, United States Code, Section 853(p), to seek forfeiture of any other property of said defendants up to the value of the above forfeitable property.

All in violation of Title 21, United States Code, Section 853.

**A TRUE BILL**

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**GRAND JURY FOREPERSON**

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**PATRICK L. MEEHAN**  
**United States Attorney**